

## REMARKS

Claims 4, 19 and 24 have been canceled. Thus, Claims 1-3, 5-18, 20-23 and 25-26 are currently pending in the present application, all of which have been amended.

### Rejection under 35 U.S.C. § 101

Claims 1-24 were rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Applicants respectfully traverse such rejection insofar as it might apply to the claims as amended herein.

Amended Claim 1 (and similarly Claims 14 and 21) now recites a step of "reconfiguring said unauthorized access point to add an identity of said identified unauthorized access point to registers of ports for which charges are allocated such that access charges can be accumulated against said identity." Thus, the useful, concrete and tangible result is that the identity of an identified unauthorized access point is added to registers of ports for which charges are allocated, and with such, "access charges can be accumulated against said identity" (*i.e.*, the identified unauthorized access point).

Because the claimed invention provides a useful, concrete and tangible result, the § 101 rejection is believed to be overcome.

### Rejection under 35 U.S.C. § 102

Claims 1-3, 6-10, 12-18, 21-23 and 26 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Whelan et al.* (US 2004/00003285). Applicants respectfully traverse such rejection insofar as it might apply to the claims as amended herein.

Applicants note with appreciation the Examiner's indication that Claims 4, 19 and 24 would be allowable if they were rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Because the contents of Claims 4, 19 and 24 are incorporated within Claims 1, 14 and 21, respectively; thus, the § 102 rejection is believed to be overcome.

### Double Patenting Rejection

Claims 1, 3, 5-11, 13-18, 21-23 and 26 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-12 of co-pending application number 10/208,281. Applicants respectfully traverse such rejection insofar as it might apply to the claims as amended herein.

Because the contents of Claims 4, 19 and 24 are incorporated within Claims 1, 14 and 21, respectively; thus, the double patent rejection is believed to be overcome.

### CONCLUSION

Claims 1-3, 5-18, 20-23 and 25-26 are currently pending in the present application. For the reasons stated above, Applicants believe that independent Claims 1, 14 and 21 along with their respective dependent claims are in condition for allowance. The remaining prior art cited by the Examiner but not relied upon has been reviewed and is not believed to show or suggest the claimed invention.

No additional fee or extension of time is believed to be necessary; however, in the event that any additional fee or extension of time is required for the prosecution of the present application, please charge it against Lenovo Corporation Deposit Account No. **50-3533**.

Respectfully submitted,



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